ORANGE COUNTY
COASTKEEPER®

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May 1, 2014

**VIA CERTIFIED MAIL**

CR&R Inc.
Attention: Managing Agent
11292 Western Avenue
Stanton, California 90680

**VIA U.S. MAIL**

CT Corporation System
Registered Agent for CR&R Inc.
818 West Seventh Street
Second Floor
Los Angeles, California 90017

**Re: Notice of Violation and Intent to File Suit Under the Clean Water Act**

To Whom It May Concern:

I am writing on behalf of Orange County Coastkeeper ("Coastkeeper") in regard to violations of the Clean Water Act[1] and California's Storm Water Permit[2] occurring at 11292 Western Avenue, Stanton, California 90680 ("CR&R Facility" or "Facility"). This letter is being sent to you as the responsible owner and/or operator of the Facility, or as the registered agent for that entity. This letter puts CR&R Inc. (hereinafter referred to as the "CR&R Facility Owner and/or Operator") on notice of the violations of the Storm Water Permit occurring at the CR&R Facility including, but not limited to, discharges of polluted storm water from the Facility into local surface waters. Violations of the Storm Water Permit are violations of the Clean Water Act. As explained below, the CR&R Facility Owner and/or Operator is liable for violations of the Storm Water Permit and the Clean Water Act.

Section 505(b) of the Clean Water Act, 33 U.S.C. § 1365(b), requires that a citizen give notice of his/her intention to file suit sixty (60) days prior to the initiation of a civil action under Section 505(a) of the Clean Water Act, 33 U.S.C. § 1365(a). Notice must be given to the alleged violator, the Administrator of the United States Environmental Protection Agency ("EPA"), the Regional Administrator of the EPA, the Executive Officer of the water pollution control agency

[1] Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 *et seq.*
[2] National Pollution Discharge Elimination System ("NPDES") General Permit No. CAS000001 [State Water Resources Control Board] Water Quality Order No. 92-12-DWQ, as amended by Order No. 97-03-DWQ.

in the State in which the violations occur, and, if the alleged violator is a corporation, the registered agent of the corporation. *See* 40 C.F.R. § 135.2(a)(1).

By this letter issued pursuant to 33 U.S.C. §§ 1365(a) and (b) of the Clean Water Act, (hereinafter "Notice Letter"), Coastkeeper puts the CR&R Facility Owner and/or Operator on notice that after the expiration of sixty (60) days from the date of this Notice Letter, Coastkeeper intends to file an enforcement action in Federal court against it for violations of the Storm Water Permit and the Clean Water Act.

## I. BACKGROUND

### A. Orange County Coastkeeper

Orange County Coastkeeper is a non-profit public benefit corporation organized under the laws of the State of California with its office at 3151 Airway Avenue, Suite F-110, Costa Mesa, California 92626. Coastkeeper has over 2,000 members who live and/or recreate in and around Orange County and the Anaheim Bay, Huntington Harbour, and Bola Chica watershed. Coastkeeper is dedicated to the preservation, protection, and defense of the environment, wildlife, and natural resources of their local watersheds, including the Bolsa Chica Channel and its tributaries. To further these goals, Coastkeeper actively seeks federal and state agency implementation of the Clean Water Act, and, where necessary, directly initiates enforcement actions on behalf of itself and its members.

Members of Coastkeeper use and enjoy the waters into which the Facility discharges, including the Bolsa Chica Channel and its tributaries. Members of Coastkeeper use and enjoy the Bolsa Chica Channel, Sunset Bay – Huntington Harbor, Anaheim Bay – Outer Bay, and Anaheim Bay – Seal Beach National Wildlife Refuge to picnic, hike, view wildlife, and engage in scientific study, including monitoring activities, among other things. Procedural and substantive violations of the Storm Water Permit including, but not limited to, the discharge of pollutants from the Facility impairs each of these uses. Further, these violations are ongoing and continuous. Thus, the interests of Coastkeeper's members have been, are being, and will continue to be adversely affected by the CR&R Facility Owner's and/or Operator's failure to comply with the Storm Water Permit and the Clean Water Act.

### B. The Owner and/or Operator of the CR&R Facility

Information available to Coastkeeper indicates that CR&R Inc. is an owner and/or operator of the Facility. CR&R Inc. is an active corporation registered in California. The registered agent for the corporation is CT Corporation System, 818 West Seventh Street, Second Floor, Los Angeles, California 90017.

The CR&R Facility Owner and/or Operator has violated and continues to violate the procedural and substantive terms of the Storm Water Permit including, but not limited to, the illegal discharge of pollutants from the Facility into local surface waters. As explained herein,

the CR&R Facility Owner and/or Operator is liable for violations of the Storm Water Permit and the Clean Water Act.

**C. The CR&R Facility's Storm Water Permit Coverage**

Prior to beginning industrial operations, dischargers are required to apply for coverage under the Storm Water Permit by submitting a Notice of Intent to Comply with the Terms of the General Permit to Discharge Storm Water Associated with Industrial Activity ("NOI") to the State Water Resources Control Board ("State Board"). *See* Storm Water Permit, Finding #3. The CR&R Facility Owner and/or Operator submitted an NOI for the Facility, which was approved by the Santa Ana Regional Water Quality Control Board ("Regional Board") on March 6, 1992 ("NOI"). The NOI indicated that the Facility is, and thus sought Permit coverage for, approximately five (5) acres. The current Storm Water Pollution Prevention Plan ("SWPPP")[3] for the Facility indicates that the Facility is ten (10) acres, however. The NOI lists the Waste Discharge Identification ("WDID") number for the Facility as 8-30I000311.

The NOI lists the Standard Industrial Classification ("SIC") code for the Facility as 5093 (Scrap Recycling). The Facility SWPPP lists SIC code 4953 (Hazardous Waste Treatment Storage or Disposal) as an additional applicable SIC code, and information available to Coastkeeper indicates that SIC code 4212 also applies to the Facility.

**D. Storm Water Pollution and the Waters Receiving the Facility's Discharges**

With every significant rainfall event, millions of gallons of polluted storm water originating from industrial operations such as the CR&R Facility pour into storm drains and local waterways. The consensus among agencies and water quality specialists is that storm water pollution accounts for more than half of the total pollution entering surface waters each year. Such discharges of pollutants from industrial facilities contribute to the impairment of downstream waters and adversely impact aquatic-dependent wildlife. These contaminated discharges can and must be controlled for downstream ecosystems to regain their health.

Storm water discharges from waste disposal, storage, and transfer sites, like the CR&R Facility, contain pollutants such as: oil and grease ("O&G"); hydraulic fluids; transmission fluid; antifreeze; solvents; detergents; paints; aromatic hyrdocarbons; chlorinated hydrocarbons; total suspended solids ("TSS"); specific conductance ("SC"); heavy metals (such as copper, iron, lead, aluminum, and zinc); pathogens; and nutrients. Many of these pollutants are on the list of chemicals published by the State of California as known to cause cancer, birth defects, and/or developmental or reproductive harm.

The CR&R Facility Owner and/or Operator's NOI identifies the "Stanton Storm

[3] In a March 3, 2014, letter to the CR&R Facility Owner and/or Operator the Regional Board requested a copy of the current Facility SWPPP. On or about March 21, 2014, the Regional Board provided Coastkeeper a SWPPP for the CR&R Facility dated June 2012. It is Coastkeeper's understanding, based on the Regional Board's March 14 request, that this is the current SWPPP for the Facility.

Channel" as the name of the water receiving discharges from the Facility. However, the Facility SWPPP identifies the receiving water as "the Long Beach Outer Harbor (via the San Gabriel River)." Based on Coastkeeper's site investigations and review of publicly available information about area surface waters, pollutants from the Facility discharge to the City of Stanton municipal storm drain system that leads to the Stanton Storm Channel. The Stanton Storm Channel is tributary to the Bolsa Chica Channel. The Bolsa Chica Channel is tributary to Sunset Bay – Huntington Harbor, Anaheim Bay – Outer Bay, and Anaheim Bay – Seal Beach National Wildlife Refuge. The Bolsa Chica Channel, Sunset Bay – Huntington Harbor, Anaheim Bay – Outer Bay, and Anaheim Bay – Seal Beach National Wildlife Refuge are referred to collectively herein as the "Receiving Waters." Discharges of polluted storm water to the Receiving Waters pose carcinogenic and reproductive toxicity threats to the public and adversely affect the aquatic environment.

The Receiving Waters are ecologically sensitive areas. Although pollution and habitat destruction have drastically diminished once-abundant and varied fisheries, these waters still provide essential habitat for dozens of fish, bird, and invertebrate species. These pollutants harm the special aesthetic and recreational significance that the Receiving Waters have for people in the surrounding communities, including Coastkeeper's members. The public's use of the Receiving Waters for water contact sports exposes people to toxic metals and other contaminants in storm water and non-storm water discharges. Non-contact recreational and aesthetic opportunities, such as wildlife observation, are also impaired by polluted discharges to these waters.

The California Regional Water Quality Control Board, Santa Ana Regional Board ("Regional Board") issued the *Santa Ana River Basin Water Quality Control Plan* ("Basin Plan"). The Basin Plan identifies the "Beneficial Uses" of water bodies in the region. The exiting and/or potential Beneficial Uses for Bolsa Chica Channel include, at a minimum: Warm Freshwater Habitat and Water Contact Recreation.[4] The Basin Plan Beneficial Uses for Sunset Bay – Huntington Harbor, Anaheim Bay – Outer Bay, and Anaheim Bay – Seal Beach National Wildlife Refuge include: Navigation; Water Contact Recreation; Non-contact Water Recreation; Commercial and Sportfishing; Preservation of Biological Habitats of Special Significance; Wildlife Habitat; Rare, Threatened, or Endangered Species; Spawning, Reproduction and Development; Marine Habitat; and Estuarine Habitat. *See* Basin Plan at Table 3-1.

According to the 2010 303(d) List of Impaired Water Bodies, Bolsa Chica Channel is impaired for ammonia, pH, and indicator bacteria.[5] Sunset Bay – Huntington Harbor is impaired for copper, lead, sediment toxicity, and pathogens, among other pollutants.[6] Anaheim Bay –

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[4] 2010 Integrated Report – All Assessed Waters, available at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/2010state_ir_reports/02253.shtml#12579 (last accessed on April 29, 2014).
[5] 2010 Integrated Report – All Assessed Waters, available at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml, (last accessed on April 29, 2014).
[6] 2010 Integrated Report – All Assessed Waters, available at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml, (last accessed on April 29, 2014).

Outer Bay and Anaheim Bay – Seal Bach National Wildlife Refuge are impaired for sediment toxicity, among other pollutants.[7] Polluted discharges from industrial sites such as the Facility contribute to the degradation of these already impaired surface waters and of the ecosystems that depend on these waters.

## II. THE CR&R FACILITY AND ASSOCIATED DISCHARGES OF POLLUTANTS

### A. The CR&R Facility Site Description

The Facility is a waste management, recycling and portable-storage container site that includes corporate offices, truck maintenance shops, a buy back recycling center, recycling précising facility for curbside collected recyclables, two truck washing areas, a diesel and gas fueling station, a spray paint booth, and a storage container fabrication workshop. The Facility SWPPP indicates that the CR&R Facility is approximately ten (10) acres, while the NOI seeks coverage under the Storm Water Permit for five (5) acres.

There are six (6) buildings at the Facility: (1) buyback recycling office, (2) vehicle maintenance shop, paint booth, and corporate office, (3) fabrication shop, (4) auxiliary building, (5) curbside recycling processing, and (6) steam cleaning bay and auxiliary building. The Facility also includes outdoor storage areas for curbside recycling materials, empty container bins, and equipment and truck parking. The outdoor curbside recycling material area is located in the northwest corner of the Facility adjacent to the curbside recycling processing building. The outdoor empty container storage area is located in the western most part of the Facility that abuts railroad tracks. The buy-back recycling center and the fueling pump island are also outdoors. While the SWPPP site map identifies each of these areas as part of the Facility, the narrative portions of the SWPPP fail to provide additional details about the specific location or the acreages of these areas, or how, if any, the industrial processes within these areas at the Facility are conducted.

The Facility property is bordered by Western Avenue at the corner of Western Avenue and Lincoln Way. The points of egress/ingress to the Facility include four (4) driveways leading to Western Avenue. Driveway 1 is located at the northern most corner of the Facility adjacent to a truck parking area and a truck scale area. Driveway 2 is the next most northern entrance/egress for the Facility. An additional trucks parking area is adjacent to Driveway 2. The outdoor buy-back recycling center is located between Driveway 1 and Driveway 2. Driveway 3 is located in the center of the Facility adjacent to the Facility corporate office, vehicle maintenance shop, and fuel pump island. Driveway 4 is the southern most entrance/egress for the Facility, and is adjacent to additional parking areas as well as a fabrication shop.

As explained herein, and based on the differing acreages in the NOI and SWPPP, Coastkeeper informs the CR&R Facility Owner and/or Operator that it has failed to obtain Storm

[7] 2010 Integrated Report – All Assessed Waters, available at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml, (last accessed on April 29, 2014).

Water Permit coverage for all industrial activities, and thus unpermitted discharges are ongoing, in violation of the Clean Water Act. In the event the CR&R Facility Owner and/or Operator does have Storm Water Permit coverage for these operations, it is in violation of the Storm Water Permit's procedural and substantive requirements.

**B. The CR&R Facility Industrial Activities and Associated Pollutants**

According to information available to Coastkeeper, the Facility is a waste disposal, transfer, and recycling facility that accepts municipal solid waste and recyclable materials. These materials are stored and sorted at the Facility, and are then either disposed of or sold. Vehicle and equipment maintenance, cleaning operations, and refueling are also conducted at the Facility. Trucks and other equipment, as well as empty waste bins are stored on site.

The Facility's industrial activities and areas are pollutant sources and include, but are not limited to: processing, loading, and unloading of solid waste and recyclable materials such as hazardous materials; metal crushing; storage of solid waste materials including, but not limited to, household hazardous material and electronic waste; bin storage, cleaning, and maintenance; vehicle and equipment cleaning operations; vehicle and equipment refueling; vehicle and equipment maintenance; vehicle and equipment painting; storage of materials associated with equipment and vehicle maintenance; and storage of vehicles and equipment. The CR&R Facility Owner and/or Operator also stores and/or generates hazardous wastes such as oil, hydraulic fluid, brake fluid, and antifreeze.

The pollutants associated with the Facility include, but are not limited to: O&G; heavy metals (such as copper, iron, lead, aluminum, mercury, silver, and zinc); TSS, nutrients, pathogens, and trash; ammonia; magnesium; arsenic; cadmium; cyanide; selenium; motor oils, aromatic hydrocarbons, chlorinated hydrocarbons, antifreeze, hydraulic fluids, brake fluids, transmission fluids, gear lube, and axel grease; fugitive dust, dirt and debris; and pH-affecting substances.

Information available to Coastkeeper indicates that storage of vehicles and equipment, storage of materials associated with waste storage and transfer, and other industrial activities occur throughout the Facility outdoors, without adequate cover to prevent storm water and non-storm water exposure to pollutant sources, and without secondary containment or other adequate treatment measures to prevent polluted storm water and non-storm water from discharging from the Facility. Further, information available to Coastkeeper indicates that the pollutants associated with the Facility have been and continue to be tracked throughout the Facility, where they accumulate at the storm water discharge points and the driveways leading to Western Avenue. This results in trucks and vehicles tracking trash, recyclables, sediment, dirt, oil and grease, metal particles, and other pollutants off-site. The resulting illegal discharges of polluted storm water and non-storm water impact Coastkeeper's members' use and enjoyment of the Receiving Waters by degrading the quality of those waters, and by posing risks to human health and aquatic life.

### C. CR&R Facility Storm Water Flows and Discharge Locations

The CR&R Facility Owner and/or Operator reports that there are four (4) discharge points located on site, which are identified in the Facility SWPPP as Sample Point #1 (SP1), Sample Point #2 (SP2), Sample Point #3 (SP3), and Sample Point #4 (SP4). As described in the Facility SWPPP, SP1 is located to the east of the scale house that is located on the south side of the facility; SP2 is located to the east of the parking lot that is located near the fueling station; SP3 is located to the east of the scale house that is located on the south side of the facility; and SP4 is located to the south of the property near the fabrication shop. As also stated in the SWPPP, surface drainage at the Facility flows from east to west, collecting at several storm drain inlets leading to these discharge points. However, the SWPPP site map does not indicate the specific locations of SP1-SP4, does not show the direction of drainage at the site, or identify the number or locations of the storm drain inlets.

The Facility site map does indicate that the storm water conveyance system includes seven (7) clarifiers. Clarifier #1 is located adjacent to Driveway 1, a truck scale area, a truck parking area, and the outdoor buy-back recycling center. Clarifier #2 is adjacent to Driveway 2, an additional truck parking area, and the outdoor buy-back recycling center. Clarifier #3 and Clarifier #5 are adjacent to Driveway 3, the corporate office, the vehicle maintenance shop, and the fuel pump island. Clarifier #4 is adjacent to Driveway 4, parking areas including truck parking, and the fabrication shop. Clarifier #6 is adjacent to the steam cleaning bay and auxiliary building. Clarifier #7 is adjacent to a container cleaning area and the paint booth. The narrative portion of the SWPPP states that Clarifiers #1 and #2 collect storm water associated with the Facility recycling material processing area, and that Clarifier #4 collects storm water associated with the Facility vehicle maintenance shop. No further description of Clarifiers #3, #5, #6, and #7 is provided. Nor does the SWPPP describe which discharge point is associated with which clarifier or industrial activity.

Information available to Coastkeeper, including Coastkeeper's observations and the Regional Board's September 28, 2009 denial of the CR&R Facility Owner's and/or Operator's request to terminate Permit coverage, indicates that Driveways 1-4 are also discharge points at the Facility.

## III. VIOLATIONS OF THE CLEAN WATER ACT AND THE STORM WATER PERMIT

In California, any person who discharges storm water associated with industrial activity must comply with the terms of the Storm Water Permit in order to lawfully discharge pollutants. *See* 33 U.S.C. §§ 1311(a), 1342; 40 C.F.R. § 122.26(c)(1); *see also* Storm Water Permit, Fact Sheet at VII.

### A. Discharges of Pollutants Not in Compliance with an NPDES Permit in Violation of Sections 301(a) and 402(p)(2)(B) of the Clean Water Act

The Clean Water Act requires that any person discharging pollutants to a water of the

United States from a point source[8] obtain coverage under an NPDES permit. *See* 33 U.S.C. §§ 1311(a), 1342; 40 C.F.R. § 122.26(c)(1). The Storm Water Permit is an NPDES permit which regulates storm water discharges associated with certain industrial activities. Industrial activities conducted at the Facility fall under SIC codes 5093, 4953, and 4212, which require the CR&R Facility Owner and/or Operator to obtain Storm Water Permit coverage for the entire CR&R Facility.

Information available to Coastkeeper indicates that the CR&R Facility Owner and/or Operator has failed to obtain Storm Water Permit coverage for all regulated industrial activities conducted at the Facility.[9] Specifically, the CR&R Facility Owner and/or Operator conducts waste disposal, transfer, processing, recycling, bin storage, cleaning and maintenance, and vehicle and equipment storage and maintenance throughout the CR&R Facility. However, information available to Coastkeeper indicates that the CR&R Facility Owner and/or Operator has failed to include all regulated operations in its Storm Water Permit coverage, as the NOI sought coverage for only five (5) acres though the SWPPP describes the Facility as consisting of ten (10) acres. Further, the CR&R Facility Owner and/or Operator does not list any BMPs in the SWPPP for empty container storage, nor does it include this area in the Monitoring and Reporting Program ("M&RP"). Therefore, by failing to either include all regulated industrial activities in the Facility's existing Storm Water Permit coverage, or to obtain independent NPDES permit coverage, point source discharges from unpermitted areas of the Facility to the Receiving Waters are violations of the Clean Water Act.

Information available to Coastkeeper indicates that the CR&R Facility Owner and/or Operator has not obtained an individual NPDES permit for the Facility. It also has not obtained Storm Water Permit coverage for all of its regulated industrial activities at the Facility. Every day the CR&R Facility Owner and/or Operator discharges pollutants not in compliance with an NPDES permit is a separate and distinct violation of the Clean Water Act. The CR&R Facility Owner and/or Operator has been and continues to be in daily violation of the requirement to discharge to the Receiving Waters only in compliance with a Clean Water Act NPDES permit every day since beginning operations. The CR&R Facility Owner and/or Operator is subject to civil penalties for all violations of the Clean Water Act occurring since May 1, 2009.

### B. Discharges of Polluted Storm Water from the CR&R Facility in Violation of Effluent Limitation B(3) of the Storm Water Permit

Effluent Limitation B(3) of the Storm Water Permit requires dischargers to reduce or prevent pollutants associated with industrial activity in storm water discharges through

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[8] A point source is defined as any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. 33 U.S.C. § 1362(14); *see* 40 C.F.R. § 122.2

[9] If the CR&R Facility Owner and/or Operator claims it has Storm Water Permit coverage for all of its regulated activities at the Facility, Coastkeeper puts the CR&R Facility Owner and/or Operator on notice that it is in violation of the Storm Water Permit as set forth herein.

implementation of best management practices ("BMPs") that achieve best available technology economically achievable ("BAT") for toxic pollutants[10] and best conventional pollutant control technology ("BCT") for conventional pollutants.[11] Benchmark Levels are relevant and objective standards to evaluate whether a permittee's BMPs achieve compliance with BAT/BCT standards as required by Effluent Limitation B(3) of the Storm Water Permit.[12]

Storm water sampling at the CR&R Facility demonstrates that the Facility's storm water discharges contain concentrations of pollutants above the Benchmark Levels. *See* Exhibit A (table listing the Facility's storm water samples exceeding Benchmark Level(s), as reported to the Regional Board by the CR&R Facility Owner and/or Operator and in samples collected by Coastkeeper). The repeated and significant exceedances of Benchmark Levels demonstrate that the CR&R Facility Owner and/or Operator has failed and continues to fail to develop and/or implement BMPs to prevent the exposure of pollutants to storm water and to prevent discharges of polluted storm water from the Facility, in violation of Effluent Limitation B(3) of the Storm Water Permit.

Information available to Coastkeeper indicates that the CR&R Facility Owner and/or Operator violates Effluent Limitation B(3) of the Storm Water Permit for failing to develop and/or implement BMPs that achieve BAT/BCT each time storm water is discharged from the Facility. *See, e.g.*, Exhibit B (setting forth dates of rain events resulting in a discharge at the Facility).[13] These discharge violations are ongoing and will continue each day the CR&R Facility Owner and/or Operator discharges polluted storm water without developing and/or implementing BMPs that achieve compliance with the BAT/BCT standards. Coastkeeper will update the number and dates of violation when additional information and data becomes available. Each time the CR&R Facility Owner and/or Operator discharges polluted storm water in violation of Effluent Limitation B(3) of the Storm Water Permit is a separate and distinct violation of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). The CR&R Facility Owner and/or Operator is subject to civil penalties for all violations of the Clean Water Act occurring since May 1, 2009.

### C. Discharges of Polluted Storm Water from the CR&R Facility in Violation of Receiving Water Limitations C(1) and C(2) of the Storm Water Permit

Receiving Water Limitation C(1) of the Storm Water Permit prohibits storm water discharges and authorized non-storm water discharges to surface water or ground water that

[10] Toxic pollutants are listed at 40 C.F.R. § 401.15 and include copper, lead, and zinc, among others.
[11] Conventional pollutants are listed at 40 C.F.R. § 401.16 and include biological oxygen demand, total suspended solids, oil and grease, pH, and fecal coliform.
[12] *See* EPA Storm Water Multi-Sector Permit (2008), Fact Sheet, p. 106; *see also*, EPA Storm Water Multi-Sector Permit, 65 Federal Register 64839 (2000).
[13] Exhibit B lists dates of significant rain events as measured at the Garden Grove Fire Station rain gauge from November 2008 to May 2013. Dates of significant rain events from October 2013 to April 2014 listed in Exhibit B were measured at the Santa Ana rain gauge, as current data from the Garden Grove Fire Station is not yet available. A significant rain event is defined by EPA as a rainfall event generating 0.1 inches or more of rainfall, which generally results in measurable discharges at a typical industrial facility.

adversely impact human health or the environment. Discharges that contain pollutants in concentrations that exceed levels known to adversely impact aquatic species and the environment constitute violations of Receiving Water Limitation C(1) of the Storm Water Permit and the Clean Water Act. Receiving Water Limitation C(2) of the Storm Water Permit prohibits storm water discharges and authorized non-storm water discharges that cause or contribute to an exceedance of an applicable water quality standard ("WQS").[14] Discharges that contain pollutants in excess of an applicable WQS violate Receiving Water Limitation C(2) of the Storm Water Permit and the Clean Water Act.

As explained above in Section I.D, the 2010 303(d) List of Impaired Water Bodies lists the Receiving Waters as impaired for multiple pollutants. Information available to Coastkeeper indicates that the Facility's storm water discharges contain elevated concentrations of pollutants, which can be acutely toxic and/or have sub-lethal impacts on the avian and aquatic wildlife in the Receiving Waters. *See* Exhibit C (table listing the Facility's storm water samples containing pollutants). Discharges of elevated concentrations of pollutants in the storm water from the Facility also adversely impact human health. These harmful discharges from the Facility are violations of Receiving Water Limitation C(1).

The Facility storm water discharges also contain concentrations of pollutants that cause or contribute to violations of applicable WQSs. *See* Exhibit A (table listing the Facility's storm water samples exceeding applicable WQSs, as reported to the Regional Board by the Facility Owner and/or Operator and in samples collected by Coastkeeper). Storm water discharges from the CR&R Facility that cause or contribute to exceedances of WQSs are violations of Receiving Water Limitation C(2).

Information available to Coastkeeper indicates that the storm water discharges from the CR&R Facility violate Receiving Water Limitations C(1) and/or C(2) each time storm water is discharged from the Facility. Exhibit B (setting forth dates of rain events resulting in a discharge at the Facility). These violations are ongoing, and will continue each time contaminated storm water is discharged in violation of Receiving Water Limitation C(1) and/or C(2) of the Storm Water Permit. Each time discharges of storm water from the Facility adversely impact human health or the environment is a separate and distinct violation of Receiving Water Limitation C(1) of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). Each time discharges of storm water from the Facility cause or contribute to an exceedance of an applicable WQS is a separate and distinct violation of Receiving Water Limitation C(2) of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). Coastkeeper will update the number and dates of violations when additional information

[14] As explained above in Section I.D, the Basin Plan designates Beneficial Uses for the Receiving Waters. Water quality standards are pollutant concentration levels determined by the state or federal agencies to be protective of designated Beneficial Uses. Discharges above water quality standards contribute to the impairment of the Receiving Waters' Beneficial Uses. Applicable water quality standards include, among others, the Criteria for Priority Toxic Pollutants in the State of California, 40 C.F.R. § 131.38 ("CTR"), and the water quality objectives in the Basin Plan. Given the Receiving Waters here, the applicable WQSs include both fresh and marine water quality objectives and beneficial uses.

becomes available. The CR&R Facility Owner and/or Operator is subject to civil penalties for all violations of the Clean Water Act occurring since May 1, 2009.

**D. Non-Storm Water Discharges from the Facility in Violation of Discharge Prohibition A(1) of the Storm Water Permit**

Except as authorized by Special Conditions D(1) of the Storm Water Permit, Discharge Prohibition A(1) prohibits permittees from discharging materials other than storm water (non-storm water discharges) either directly or indirectly to waters of the United States. Prohibited non-storm water discharges must be either eliminated or permitted by a separate NPDES permit. *See* Storm Water Permit, Discharge Prohibition A(1).

Information available to Coastkeeper indicates that unauthorized non-storm water discharges occur at the Facility due to inadequate BMP development and/or implementation necessary to prevent these discharges. For example, unauthorized non-storm water discharges occur at the Facility when trucks track pollutants from the Facility onto Western Avenue, when trash escapes the Facility, during dust control, and/or when washing and cleaning activities occur. The CR&R Facility Owner and/or Operator conducts these activities without BMPs to prevent related non-storm water discharges. Non-storm water discharges resulting from tracking, trash, dust control, and/or washing and cleaning are not from sources that are listed among the authorized non-storm water discharges in Special Conditions D(1) of the Storm Water Permit and thus are always prohibited under the Storm Water Permit.

Coastkeeper puts the CR&R Facility Owner and/or Operator on notice that Discharge Prohibition A(1) of the Storm Water Permit is violated each time non-storm water is discharged from the CR&R Facility. These discharge violations are ongoing and will continue until the CR&R Facility Owner and/or Operator develops and implements BMPs that prevent prohibited non-storm water discharges or obtains separate NPDES permit coverage. Each time the CR&R Facility Owner and/or Operator discharges prohibited non-storm water in violation of Discharge Prohibition A(1) of the Storm Water Permit is a separate and distinct violation of the Storm Water Permit and section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). Coastkeeper will update the number and dates of violations when additional information becomes available. The CR&R Facility Owner and/or Operator is subject to civil penalties for all violations of the Clean Water Act occurring since May 1, 2009.

**E. Failure to Develop, Implement and/or Revise an Adequate Storm Water Pollution Prevention Plan**

Section A(1) and Provision E(2) of the Storm Water Permit require dischargers to have developed and implemented a SWPPP by October 1, 1992, or prior to beginning industrial activities, that meets all of the requirements of the Storm Water Permit. The objective of the SWPPP requirement is to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges from the Facility, and to implement site-specific BMPs to reduce or prevent pollutants associated with industrial activities in storm water discharges. *See* Storm Water Permit, Section A(2). These BMPs must achieve

compliance with the Storm Water Permit's Effluent Limitations and Receiving Water Limitations. To ensure compliance with the Storm Water Permit, the SWPPP must be evaluated on an annual basis pursuant to the requirements of Section A(9), and must be revised as necessary to ensure compliance with the Storm Water Permit. *Id.*, Sections A(9) and (10).

Sections A(3) – A(10) of the Storm Water Permit set forth the requirements for a SWPPP. Among other requirements, the SWPPP must include: a site map showing the facility boundaries, storm water drainage areas with flow patterns, nearby water bodies, the location of the storm water collection, conveyance and discharge system, structural control measures, areas of actual and potential pollutant contact, areas of industrial activity, and other features of the facility and its industrial activities (*see* Storm Water Permit, Section A(4)); a list of significant materials handled and stored at the site (*see* Storm Water Permit, Section A(5)); a description of potential pollutant sources, including industrial processes, material handling and storage areas, dust and particulate generating activities, significant spills and leaks, non-storm water discharges and their sources, and locations where soil erosion may occur (*see* Storm Water Permit, Section A(6)). Sections A(7) and A(8) of the Storm Water Permit require an assessment of potential pollutant sources at the facility and a description of the BMPs to be implemented at the facility that will reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges, including structural BMPs where non-structural BMPs are not effective.

Information available to Coastkeeper indicates that the CR&R Facility Owner and/or Operator has been conducting operations at the Facility with an inadequately developed and/or implemented SWPPP. For example, the SWPPP site map for the CR&R Facility does not include all the information required by Section A(4) of the Storm Water Permit, such as an outline of all storm water drainage areas within the Facility boundaries, descriptions of drainage flow direction(s), portions of the drainage area impacted by run-on from surrounding area, areas of soil erosion, nearby waterbodies, the location of the storm water collection and conveyance system, discharge or sampling locations, the location of municipal storm sewer drain inlets that may receive discharges, structural control measures that affect storm water discharges, an outline of all impervious areas of the Facility, locations where materials are directly exposed to precipitation, or all areas of industrial activity.

Further, the Facility SWPPP fails to list all significant materials handled at the site as required by Section A(5) of the Storm Water Permit. Section 1.4 of the SWPPP states only that "[s]ignificant materials used and stored at the site consist of small quantities of new and used waste fluids, including motor oils, antifreeze, hydraulic fluids, transmission fluids, gear lube, and axel grease." However, information available to Coastkeeper indicates that there are many other significant materials handled at the CR&R Facility, including municipal solid waste and recyclables. Because all significant materials have not been identified the SWPPP necessarily fails to describe the location where the material is stored, received, shipped, and handled. Even for the materials listed, the SWPPP fails to provide these required descriptions. Thus the SWPPP violates Section A(5) of the Storm Water Permit. Without properly identifying all significant materials at the Facility, the CR&R Facility Owner and/or Operator has not developed and implemented all appropriate BMPs.

In violation of Section A(6) of the Storm Water Permit, the Facility SWPPP does not describe all industrial activities and potential pollutant sources, as, for example, the SWPPP fails to identify and/or describe empty container storage, metal crushing, or waste and recyclable material sorting. The SWPPP also fails to describe the potential pollutants that are associated with the Facility's industrial activities.

In violation of Sections A(7) and A(8) of the Storm Water Permit, the Facility SWPPP includes no assessment of potential pollutant sources, the associated pollutants, and the corresponding BMPs. Nor does the SWPPP include an analysis of the effectiveness of the BMPs or a summary of the BMPs by pollutant source, as required by Section A(8). The Facility SWPPP does refer to "Appendix B" as a source of additional information about the Facility BMPs, but no such Appendix B was provided to Coastkeeper when it obtained a copy of the current SWPPP from the Regional Board.

Additional examples of the CR&R Facility Owner's and/or Operator's failure to develop and/or implement a SWPPP that complies with the Storm Water Permit include the lack of any description of dust and particulate pollutants generated by the Facility's industrial activities, the Facility's non-storm water discharges, or areas of soil erosion. The SWPPP also does not include a summary of all areas of industrial activities and the potential pollutants in a table resembling Table B in the Storm Water Permit, as required by Section A(6)(b) of the Storm Water Permit. Further, the descriptions of the BMPs in the SWPPP do not comply with the Storm Water Permit requirements.

The CR&R Facility Owner and/or Operator has also failed to revise the Facility's SWPPP to ensure compliance with the Storm Water Permit. Despite the significant concentrations of pollutants in the Facility's storm water discharges every year since at least the 2008-2009 Wet Season,[15] the Facility's current SWPPP is dated June 2012, and therefore was not revised to include additional BMPs to eliminate or reduce these pollutants, as required by the Storm Water Permit.

The CR&R Facility Owner and/or Operator has failed to adequately develop, implement, and/or revise a SWPPP, in violation of Section A and Provision E(2) of the Storm Water Permit. Every day the CR&R Facility operates with an inadequately developed, implemented, and/or properly revised SWPPP is a separate and distinct violation of the Storm Water Permit and the Clean Water Act. The CR&R Facility Owner and/or Operator has been in daily and continuous violation of the Storm Water Permit's SWPPP requirements since at least May 1, 2009. These violations are ongoing, and Coastkeeper will include additional violations when information becomes available. The CR&R Facility Owner and/or Operator is subject to civil penalties for all violations of the Clean Water Act occurring since May 1, 2009.

[15] The Storm Water Permit defines the Wet Season as October 1 – May 30.

**F. Failure to Develop, Implement, and/or Revise an Adequate Monitoring and Reporting Program**

Section B(1) and Provision E(3) of the Storm Water Permit require facility operators to develop and implement an adequate Monitoring and Reporting Program ("M&RP") by October 1, 1992, or prior to the commencement of industrial activities at a facility, that meets all of the requirements of the Storm Water Permit. The primary objective of the M&RP is to detect and measure the concentrations of pollutants in a facility's discharge to ensure compliance with the Storm Water Permit's Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations. *See* Storm Water Permit, Section B(2). The M&RP must therefore ensure that BMPs are effectively reducing and/or eliminating pollutants at the facility, and must be evaluated and revised whenever appropriate to ensure compliance with the Storm Water Permit. *Id.*

Sections B(3) – B(16) of the Storm Water Permit set forth the M&RP requirements. Specifically, Section B(3) requires dischargers to conduct quarterly visual observations of all drainage areas within their facility for the presence of authorized and unauthorized non-storm water discharges. Section B(4) requires dischargers to conduct visual observations of storm water discharges from one storm event per month during the Wet Season. Sections B(3) and B(4) further require dischargers to document the presence of any floating or suspended material, oil and grease, discolorations, turbidity, odor, and the source of any pollutants. Dischargers must maintain records of observations, observation dates, locations observed, and responses taken to eliminate unauthorized non-storm water discharges and to reduce or prevent pollutants from contacting non-storm water and storm water discharges. *See* Storm Water Permit, Sections B(3) and B(4). Dischargers must revise the SWPPP in response to these observations to ensure that BMPs are effectively reducing and/or eliminating pollutants at the facility. *Id.*, Section B(4).

Sections B(5) and B(7) of the Storm Water Permit require dischargers to visually observe and collect samples of storm water from all locations where storm water is discharged. Under Section B(5) of the Storm Water Permit, the facility owners and/or operators are required to collect at least two (2) samples from each discharge location at their facility during the Wet Season. Storm water samples must be analyzed for TSS, pH, SC, total organic carbon or O&G, and other pollutants that are likely to be present in the facility's discharges in significant quantities. *See* Storm Water Permit, Section B(5)(c). The Storm Water Permit requires facilities classified as SIC codes 4953 and 5093, such as the CR&R Facility, to also analyze storm water samples for Ammonia ($NH_3$), Magnesium (Mg), Chemical Oxygen Demand (COD), Arsenic (As), Cadmium (Cd), Cyanide (CN), Lead (Pb), Mercury (Hg), Selenium (Se), Silver (Ag); Zinc (Zn), Copper (Cu), Aluminum (Al), and Iron (Fe). *Id.*; *see also* Storm Water Permit, Table D, Sectors K and N.

Section B(7)(d) of the Storm Water Permit allows for the reduction of sampling locations in very limited circumstances when "industrial activities and BMPs within two or more drainage areas are substantially identical." If a discharger seeks to reduce sampling locations, the "[f]acility operators must document such a determination in the annual report." *Id.*

The CR&R Facility Owner and/or Operator has been conducting operations at the

Facility with an inadequately developed, implemented, and/or revised M&RP. For example, for each of the past five (5) Wet Seasons the CR&R Facility Owner and/or Operator has failed to conduct non-storm water and storm water visual observations at each of its discharge points, i.e. Driveways 1-4. Thus the CR&R Facility Owner and/or Operator has failed to document the presence of any floating and suspended material, oil and grease, discolorations, turbidity, odor, and source of pollutants at the unobserved discharge points, in violation of Section B(3) of the Storm Water Permit. The CR&R Facility Owner and/or Operator has also failed to indicate the location of non-storm water visual observations in all of the past five (5) Wet Seasons to document which discharge point was observed. Additionally, the CR&R Facility Owner and/or Operator failed to provide the records required by Section B(4) of the Storm Water Permit for the monthly visual observations of storm water discharges.

The CR&R Facility Owner and/or Operator also failed to collect and analyze storm water samples as required by the Storm Water Permit. For example, only one storm water sample was collected during the 2009-2010, 2010-2011, 2011-2012 Wet Seasons, rather than the two storm water samples required by Section B(5) of the Storm Water Permit, despite qualifying rain events. Further, the CR&R Facility Owner and/or Operator failed to collect any storm water samples during the 2012-2013 Wet Season even though qualifying storm events occurred, in violation of Section B(5) of the Storm Water Permit. *See* Exhibit B. Also, the CR&R Facility Owner and/or Operator has failed to collect samples from all Facility discharge points, and has never analyzed storm water samples for Ammonia ($NH_3$), Magnesium (Mg), Arsenic (As), Cadmium (Cd), Cyanide (CN), Mercury (Hg), Selenium (Se), and Silver (Ag), as required by Table D of the Storm Water Permit.

The CR&R Facility Owner's and/or Operator's failure to conduct sampling and monitoring as required by the Storm Water Permit demonstrates that it has failed to develop, implement, and/or revise an M&RP that complies with the requirements of Section B and Provision E(3) of the Storm Water Permit. Every day that the CR&R Facility Owner and/or Operator conducts operations in violation of the specific monitoring requirements of the Storm Water Permit, or with an inadequately developed and/or implemented M&RP, is a separate and distinct violation of the Storm Water Permit and the Clean Water Act. The CR&R Facility Owner and/or Operator has been in daily and continuous violation of the Storm Water Permit's M&RP requirements every day since at least May 1, 2009. These violations are ongoing, and Coastkeeper will include additional violations when information becomes available. The CR&R Facility Owner and/or Operator is subject to civil penalties for all violations of the Clean Water Act occurring since May 1, 2009.

### G. Failure to Comply with the Storm Water Permit's Reporting Requirements

Section B(14) of the Storm Water Permit requires a permittee to submit an Annual Report to the Regional Board by July 1 of each year. Section B(14) requires that the Annual Report include a summary of visual observations and sampling results, an evaluation of the visual observation and sampling results, the laboratory reports of sample analysis, the annual comprehensive site compliance evaluation report, an explanation of why a permittee did not implement any activities required, and other information specified in Section B(13).

The CR&R Facility Owner and/or Operator has failed to submit Annual Reports that comply with the Storm Water Permit reporting requirements. For example, in each Annual Report since the filing of the 2008-2009 Annual Report, the CR&R Facility Owner and/or Operator certified that: (1) a complete Annual Comprehensive Site Compliance Evaluation was done pursuant to Section A(9) of the Storm Water Permit; (2) the SWPPP's BMPs address existing potential pollutant sources; and (3) the SWPPP complies with the Storm Water Permit, or will otherwise be revised to achieve compliance. However, information available to Coastkeeper indicates that these certifications are erroneous. For example, as discussed above, storm water samples collected from the Facility have always contained concentrations of pollutants above Benchmark Levels, thus demonstrating that the SWPPP's BMPs have never adequately addressed existing potential pollutant sources. Further, the Facility's SWPPP does not include many elements required by the Storm Water Permit, and thus it is erroneous to certify that the SWPPP complies with the Storm Water Permit.

The CR&R Facility Owner and/or Operator has also submitted incomplete Annual Reports. For instance, none of the Annual Reports from the past five (5) years have included an adequate, if any, evaluation of the visual observation and sampling and analysis results, in violation of Section B(14) of the Storm Water Permit. In addition, the facility operator must report any noncompliance at the time that the Annual Report is submitted, including 1) a description of the noncompliance and its cause, 2) the period of noncompliance, 3) if the noncompliance has not been corrected, the anticipated time it is expected to continue, and 4) steps taken or planned to reduce and prevent recurrence of the noncompliance. Storm Water Permit, Section C(11)(d). The CR&R Facility Owner and/or Operator did not report its non-compliance as required.

Finally, the Storm Water Permit requires a permittee whose discharge exceeds the Storm Water Permit Receiving Water Limitations to submit a written report identifying what additional BMPs will be implemented to achieve water quality standards. Storm Water Permit, Receiving Water Limitations C(3) and C(4). Information available to Coastkeeper indicates that the CR&R Facility Owner and/or Operator has failed to submit the reports required by Receiving Water Limitations C(3) and C(4) of the Storm Water Permit. As such, the CR&R Facility Owner and/or Operator is daily violation of this requirement of the Storm Water Permit.

Each of the failures to report as required is a violation of the Storm Water Permit, and indicates a continuous and ongoing failure to comply with the Storm Water Permit's reporting requirements. The CR&R Facility Owner and/or Operator has been, and will continue to be, in daily and continuous violation of the Storm Water Permit's reporting requirements until their reporting complies with the Permit. Every day that the CR&R Facility Owner and/or Operator operates the Facility without reporting as required by the Storm Water Permit is a separate and distinct violation of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). These violations are ongoing and Coastkeeper will update the number of violations throughout this enforcement action. CR&R Facility Owner and/or Operator is subject to civil penalties for all violations of the Clean Water Act occurring since May 1, 2009.

## IV. RELIEF AND PENALTIES SOUGHT FOR VIOLATIONS OF THE CLEAN WATER ACT

Pursuant to Section 309(d) of the Clean Water Act, 33 U.S.C. § 1319(d), and the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. § 19.4, each separate violation of the Clean Water Act subjects the violator to a penalty for all violations occurring during the period commencing five (5) years prior to the date of a notice of intent to file suit letter. These provisions of law authorize civil penalties of up to $37,500 per day per violation for all Clean Water Act violations on and after January 12, 2009. In addition to civil penalties, Coastkeeper will seek injunctive relief preventing further violations of the Clean Water Act pursuant to Sections 505(a) and (d), 33 U.S.C. § 1365(a) and (d), declaratory relief, and such other relief as permitted by law. Lastly, pursuant to Section 505(d) of the Clean Water Act, 33 U.S.C. § 1365(d), Coastkeeper will seek to recover its costs, including attorneys' and experts' fees, associated with this enforcement action.

## V. CONCLUSION

Coastkeeper is willing to discuss effective remedies for the violations described in this Notice Letter. However, upon expiration of the 60-day notice period, Coastkeeper will file a citizen suit under Section 505(a) of the Clean Water Act for the CR&R Facility Owner and/or Operator's violations of the Storm Water Permit. Please direct all communications to Coastkeeper's legal counsel:

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Sincerely,

Garry Brown

Garry Brown
Executive Director
Orange County Coastkeeper

**SERVICE LIST**

**VIA U.S. MAIL**

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**Exhibit A**

| Sample collected by Coastkeeper (CK) or Discharger (D) | Date of sample collection | Sample Location | Parameter | Result | Units | Benchmark | Magnitude of Benchmark Exceedance | California Toxics Rule Criteria | Magnitude of CTR Exceedance | California Toxics Rule Criteria Marine Water | Magnitude of CTR Marine Water Exceedance | Basin Plan Fresh Water WQO | Magnitude of Basin Plan Fresh Water WQO Exceedance | Basin Plan Marine Water WQO | Magnitude of Basin Plan Marine Water WQO Exceedance |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **2009/2010 WET SEASON** | | | | | | | | | | | | | | | |
| D | 12/7/09 | SP1 | pH | 6.21 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/7/09 | SP2 | COD | 139.2 | mg/L | 120 | 1.16 | n/a | n/a | none | n/a | none | n/a | n/a | n/a |
| D | 12/7/09 | SP2 | pH | 7.15 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/7/09 | SP3 | pH | 7.09 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/7/09 | SP4 | pH | 7.86 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | 0.29 | none | n/a | 6.5-8.5 | 0.29 | 8.6-7.0 | n/a |
| **2010/2011 WET SEASON** | | | | | | | | | | | | | | | |
| D | 12/29/10 | SP1 | Cu | 0.086 | mg/L | 0.0123 | 6.991869919 | 0.014 | 6.142857143 | 0.0058 | 14.82758621 | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | pH | 6.31 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/29/10 | SP2 | Fe | 1.478 | mg/L | 1.0 | 1.478 | n/a | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | pH | 6.25 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/29/10 | SP3 | pH | 6.28 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/29/10 | SP3 | Zn | 0.098 | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | 1.031578947 | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | Cu | 0.01 | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | 1.724137931 | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | pH | 6.57 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/29/10 | SP4 | Zn | 0.202 | mg/L | 0.11 | 1.836363636 | 0.12 | 1.683333333 | 0.095 | 2.126315789 | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | Fe | 3.905 | mg/L | 1.0 | 3.905 | n/a | n/a | none | n/a | none | n/a | none | n/a |
| **2011/2012 WET SEASON** | | | | | | | | | | | | | | | |
| D | 1/23/12 | SP1 | Fe | 1.01 | mg/L | 1.0 | 1.01 | n/a | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | pH | 6.37 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 1/23/12 | SP2 | pH | 6.49 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 1/23/12 | SP3 | pH | 6.2 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 1/23/12 | SP4 | Fe | 1.1 | mg/L | 1.0 | 1.1 | n/a | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | pH | 6.27 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| **2013/2014 WET SEASON** | | | | | | | | | | | | | | | |
| CK | 2/27/2014 | Driveway 4 | Al | 3.6 | mg/L | 0.75 | 4.8 | n/a | n/a | none | n/a | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | Fe | 6.2 | mg/L | 1 | 6.2 | n/a | n/a | none | n/a | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | Zn | 0.5 | mg/L | 0.11 | 4.545454545 | 0.12 | 4.166666667 | 0.095 | 5.263157895 | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | Cu | 0.072 | mg/L | 0.0123 | 5.853658537 | 0.014 | 5.1 | 0.0058 | 12.4 | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | TSS | 320 | mg/L | 100 | 3.2 | n/a | n/a | none | n/a | none | n/a | none | n/a |

**Exhibit B**

| Date | Day of Week | Rain Fall |
|---|---|---|
| 11/4/08 | Tuesday | 0.3 |
| 11/26/08 | Wednesday | 1.68 |
| 12/15/08 | Monday | 0.98 |
| 12/16/08 | Tuesday | 0.97 |
| 12/18/08 | Thursday | 0.72 |
| 12/23/08 | Tuesday | 0.25 |
| 12/26/08 | Friday | 0.22 |
| 1/24/09 | Saturday | 0.22 |
| 2/6/09 | Friday | 0.6 |
| 2/7/09 | Saturday | 0.34 |
| 2/8/09 | Sunday | 0.14 |
| 2/9/09 | Monday | 0.1 |
| 2/10/09 | Tuesday | 0.14 |
| 2/14/09 | Saturday | 0.18 |
| 2/16/09 | Monday | 0.4 |
| 2/17/09 | Tuesday | 0.44 |
| 2/18/09 | Wednesday | 0.11 |
| 3/5/09 | Thursday | 0.13 |
| 10/14/09 | Wednesday | 0.35 |
| 12/8/09 | Tuesday | 0.75 |
| 12/13/09 | Sunday | 0.54 |
| 12/22/09 | Tuesday | 0.22 |
| 12/31/09 | Thursday | 0.11 |
| 1/18/10 | Monday | 0.32 |
| 1/19/10 | Tuesday | 1.07 |
| 1/20/10 | Wednesday | 0.71 |
| 1/21/10 | Thursday | 0.3 |
| 1/22/10 | Friday | 1.21 |
| 1/23/10 | Saturday | 0.48 |
| 1/27/10 | Wednesday | 0.18 |
| 2/6/10 | Saturday | 2.37 |
| 2/10/10 | Wednesday | 0.74 |
| 2/27/10 | Saturday | 0.66 |
| 2/28/10 | Sunday | 0.1 |
| 3/4/10 | Thursday | 0.1 |
| 3/7/10 | Sunday | 0.18 |
| 4/12/10 | Monday | 0.54 |
| 4/22/10 | Thursday | 0.16 |
| 4/28/10 | Wednesday | 0.21 |
| 10/6/10 | Wednesday | 0.16 |
| 10/7/10 | Thursday | 0.2 |
| 10/20/10 | Wednesday | 0.63 |

| Date | Day of Week | Rain Fall |
|---|---|---|
| 10/25/10 | Monday | 0.12 |
| 10/30/10 | Saturday | 0.28 |
| 11/20/10 | Saturday | 0.24 |
| 11/21/10 | Sunday | 0.39 |
| 11/24/10 | Wednesday | 0.12 |
| 11/28/10 | Sunday | 0.12 |
| 12/6/10 | Monday | 0.51 |
| 12/18/10 | Saturday | 0.71 |
| 12/19/10 | Sunday | 1.46 |
| 12/20/10 | Monday | 1.34 |
| 12/21/10 | Tuesday | 2.13 |
| 12/22/10 | Wednesday | 2.28 |
| 12/23/10 | Thursday | 0.43 |
| 12/26/10 | Sunday | 0.71 |
| 12/29/10 | Wednesday | 0.43 |
| 12/30/10 | Thursday | 0.59 |
| 1/3/11 | Monday | 0.72 |
| 2/16/11 | Wednesday | 0.18 |
| 2/19/11 | Saturday | 0.56 |
| 2/20/11 | Sunday | 0.24 |
| 2/26/11 | Saturday | 1.08 |
| 3/21/11 | Monday | 1.31 |
| 3/22/11 | Tuesday | 0.16 |
| 3/24/11 | Thursday | 0.49 |
| 3/25/11 | Friday | 0.25 |
| 5/17/11 | Tuesday | 0.11 |
| 5/18/11 | Wednesday | 0.43 |
| 10/5/11 | Wednesday | 0.12 |
| 10/6/11 | Thursday | 0.85 |
| 11/5/11 | Saturday | 0.15 |
| 11/7/11 | Monday | 0.2 |
| 11/12/11 | Saturday | 0.18 |
| 11/21/11 | Monday | 0.58 |
| 12/12/11 | Monday | 0.49 |
| 12/13/11 | Tuesday | 0.7 |
| 1/21/12 | Saturday | 0.45 |
| 1/22/12 | Sunday | 0.16 |
| 1/24/12 | Tuesday | 0.56 |
| 2/16/12 | Thursday | 0.22 |
| 2/28/12 | Tuesday | 0.18 |
| 3/18/12 | Sunday | 0.69 |
| 3/26/12 | Monday | 0.87 |

| Date | Day of Week | Rain Fall |
|---|---|---|
| 4/11/12 | Wednesday | 0.32 |
| 4/14/12 | Saturday | 0.64 |
| 4/26/12 | Thursday | 0.22 |
| 11/29/12 | Thursday | 0.33 |
| 11/30/12 | Friday | 0.17 |
| 12/1/12 | Saturday | 0.22 |
| 12/3/12 | Monday | 0.54 |
| 12/13/12 | Thursday | 0.57 |
| 12/18/12 | Tuesday | 0.13 |
| 12/24/12 | Monday | 0.78 |
| 12/26/12 | Wednesday | 0.13 |
| 12/30/12 | Sunday | 0.1 |
| 1/24/13 | Thursday | 0.59 |
| 1/25/13 | Friday | 0.33 |
| 2/9/13 | Saturday | 0.12 |
| 2/20/13 | Wednesday | 0.26 |
| 3/8/13 | Friday | 0.41 |
| 5/6/13 | Monday | 0.32 |
| 10/10/13 | Thursday | 0.24 |
| 11/21/13 | Thursday | 0.32 |
| 11/30/13 | Saturday | 0.22 |
| 12/8/13 | Sunday | 0.27 |
| 12/20/13 | Friday | 0.16 |
| 2/3/14 | Monday | 0.12 |
| 2/7/14 | Friday | 0.11 |
| 2/27/14 | Thursday | 0.44 |
| 2/28/14 | Friday | 0.5 |
| 3/1/14 | Saturday | 1.07 |
| 3/2/14 | Sunday | 0.33 |
| 4/2/14 | Wednesday | 0.12 |
| | **Total Rain Events of 0.1 or greater** | **114** |

**Exhibit C**

| Sample collected by Coastkeeper (CK) or Discharger (D) | Date of sample collection | Sample Location | Parameter | Result | Units | Benchmark | Magnitude of Benchmark Exceedance | California Toxics Rule Criteria Fresh Water | Magnitude of CTR Fresh Water Exceedance | California Toxics Rule Criteria Marine Water | Magnitude of CTR Marine Water Exceedance | Basin Plan Fresh Water WQO | Magnitude of Basin Plan Fresh Water WQO Exceedance | Basin Plan Marine Water WQO | Magnitude of Basin Plan Marine Water WQO Exceedance |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **2009/2010 WET SEASON** | | | | | | | | | | | | | | | |
| D | 12/7/09 | SP1 | COD | 110.7 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP1 | TSS | 19.6 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP1 | pH | 6.21 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/7/09 | SP1 | SC | 90.1 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP1 | TOC | 35.5 | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP1 | Zn | ND | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP1 | Fe | 0.81 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP1 | Al | 0.566 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP1 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP1 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | COD | 139.2 | mg/L | 120 | 1.16 | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | TSS | ND | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | pH | 7.15 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/7/09 | SP2 | SC | 136.5 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | TOC | 58.4 | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | Zn | ND | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | Fe | 0.21 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | Al | 0.255 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP2 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | COD | 42.8 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | TSS | ND | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | pH | 7.09 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/7/09 | SP3 | SC | 31.9 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | TOC | 10.7 | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | Zn | ND | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | Fe | 0.18 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | Al | 0.245 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP3 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | COD | 34.5 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | TSS | ND | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | pH | 7.86 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | 0.29 | none | n/a | 6.5-8.5 | 0.29 | 8.6-7.0 | n/a |
| D | 12/7/09 | SP4 | TOC | ND | mg/L | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | SC | 26.1 | u/homs | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | Zn | ND | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | Fe | 0.19 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | Al | 0.176 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 12/7/09 | SP4 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| **2010/2011 WET SEASON** | | | | | | | | | | | | | | | |
| D | 12/29/10 | SP1 | COD | 11.2 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | TSS | 30 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | pH | 6.31 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | 0.19 | none | n/a | 6.5-8.5 | 0.19 | 8.6-7.0 | n/a |
| D | 12/29/10 | SP1 | SC | 26 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | TOC | 23.3 | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | Zn | 0.119 | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | 1.252631579 | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | Fe | 0.871 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | Al | 0.204 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | Cu | 0.086 | mg/L | 0.0123 | 6.991869919 | 0.014 | 6.142857143 | 0.0058 | 14.82758621 | none | n/a | none | n/a |
| D | 12/29/10 | SP1 | Pb | 0.044 | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | COD | 36.6 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | TSS | 25 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | pH | 6.25 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | 0.25 | none | n/a | 6.5-8.5 | 0.25 | 8.6-7.0 | n/a |
| D | 12/29/10 | SP2 | SC | 19.3 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | TOC | 11.6 | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | Zn | 0.094 | mg/l | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | Fe | 1.478 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | Al | 0.283 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP2 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | COD | 16.9 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | TSS | 7 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | pH | 6.28 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | 0.22 | none | n/a | 6.5-8.5 | 0.22 | 8.6-7.0 | n/a |
| D | 12/29/10 | SP3 | SC | 9.1 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | TOC | ND | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | Zn | 0.098 | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | 1.031578947 | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | Fe | 0.338 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | Al | 0.153 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | Cu | 0.01 | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | 1.724137931 | none | n/a | none | n/a |
| D | 12/29/10 | SP3 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | COD | 50.7 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | TSS | 53 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | pH | 6.57 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 12/29/10 | SP4 | SC | 66 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | TOC | 20 | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | Zn | 0.202 | mg/L | 0.11 | 1.836363636 | 0.12 | 1.683333333 | 0.095 | 2.126315789 | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | Fe | 3.905 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | Al | 0.409 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 12/29/10 | SP4 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| **2011/2012 WET SEASON** | | | | | | | | | | | | | | | |
| D | 1/23/12 | SP1 | COD | 65.3 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | TSS | 87.5 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | pH | 6.37 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 1/23/12 | SP1 | SC | 90.1 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | TOC | ND | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | Zn | ND | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | Fe | 1.01 | mg/L | 1.0 | 1.01 | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | Al | 0.418 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP1 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP2 | COD | 71.6 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP2 | TSS | 50.5 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP2 | pH | 6.49 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 1/23/12 | SP2 | SC | 119.3 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |

| Sample collected by Coastkeeper (CK) or Discharger (D) | Date of sample collection | Sample Location | Parameter | Result | Units | Benchmark | Magnitude of Benchmark Exceedance | California Toxics Rule Criteria Fresh Water | Magnitude of CTR Fresh Water Exceedance | California Toxics Rule Criteria Marine Water | Magnitude of CTR Marine Water Exceedance | Basin Plan Fresh Water WQO | Magnitude of Basin Plan Fresh Water WQO Exceedance | Basin Plan Marine Water WQO | Magnitude of Basin Plan Marine Water WQO Exceedance |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| D | 1/23/12 | SP2 | TOC | ND | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP2 | Zn | ND | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP2 | Fe | 0.74 | mg/L | 1.0 | 0.74 | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP2 | Al | 0.33 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP2 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP2 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | COD | 19.2 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | TSS | 10.3 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | pH | 6.2 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 1/23/12 | SP3 | SC | 21.4 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | TOC | ND | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | Zn | ND | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | Fe | 0.15 | mg/L | 1.0 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | Al | 0.064 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP3 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | COD | 24.5 | mg/L | 120 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | TSS | 41.4 | mg/L | 100 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | pH | 6.27 | s.u. | 6.0-9.0 | n/a | 6.5-8.5 | n/a | none | n/a | 6.5-8.5 | n/a | 8.6-7.0 | n/a |
| D | 1/23/12 | SP4 | SC | 25.6 | u/homs | 200 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | TOC | ND | mg/L | n/a | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | Zn | ND | mg/L | 0.11 | n/a | 0.12 | n/a | 0.095 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | Fe | 1.1 | mg/L | 1.0 | 1.1 | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | Al | 0.215 | mg/L | 0.75 | n/a | none | n/a | none | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | Cu | ND | mg/L | 0.0123 | n/a | 0.014 | n/a | 0.0058 | n/a | none | n/a | none | n/a |
| D | 1/23/12 | SP4 | Pb | ND | mg/L | 0.069 | n/a | 0.082 | n/a | 0.221 | n/a | none | n/a | none | n/a |
| **2012/2013 WET SEASON** | | | | | | | | | | | | | | | |
| no samples | | | | | | | | | | | | | | | |
| **2013/2014 WET SEASON** | | | | | | | | | | | | | | | |
| CK | 2/27/2014 | Driveway 4 | Al | 3.6 | mg/L | 0.75 | 4.8 | none | n/a | none | n/a | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | Fe | 6.2 | mg/L | 1 | 6.2 | none | n/a | none | n/a | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | Zn | 0.5 | mg/L | 0.11 | 4.545454545 | 0.12 | 4.166666667 | 0.095 | 5.263157895 | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | Cu | 0.072 | mg/L | 0.0123 | 5.853658537 | 0.014 | 5.1 | 0.0058 | 12.4 | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | Pb | 0.03 | mg/L | 0.21 | n/a | none | n/a | 0.22 | n/a | none | n/a | none | n/a |
| CK | 2/27/2014 | Driveway 4 | TSS | 320 | mg/L | 100 | 3.2 | none | n/a | none | n/a | none | n/a | none | n/a |